IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 28168 of 1997

Between:

1 O.Shanker, S/o. Venkati,
R/o. Sikikindrapur, Jakaranpally Mandal, Nizamabad Dist.
2 M. Narsaiah, S/o. Malaiah, R/o. Lingapur, Dandhepally, Adilabad

Dist.

... PETITIONERS

AND

1 The Superintending Engineer, N.H.Roads, C.E.Building,
Panjagutta, Hyderabad.

2 The A.P.S.C.C.F.C.Ltd., Hyderabad, (F AC) Superintending

Engineer (SW), Hyderabad.
3 The Superintending Engineer, Irrigation Circle,
Nizamabad, Nizamabad Dist.
4 The Superintending Engineer, Sreeramasagar Project,
G.V.C.I. Balakonda, Mandal, Nizamabad Dist.
5 The Superintending Engineer, Panchayat Raj Circle, Adilabad,
Adilabad Dist.
6 The Superintending Engineer, Panchayat Raj Circle,
Nizamabad, Nizamabad Dist.
7 The Superintending Engineer,
Irrigation Circle, Karimnagar, Karimnagar Dist.
Dismissed for default as per Court order dt. 31/6/2000 as against

RR 1, 2, 3, 7
8 The Superintending Engineer, R & B Circle, Nizamabad,

Nizamabad Dist.
9 The Superintending Engineer, R & B Circle,

Karimnagar, Karimnagar Dist.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ or direction more particulars one in the nature of Mandamus or any other appropriate Writ declaring the action of the Respondents in not issuing the tender schedules of the Contracts works to the Petitioner as illegal, arbitrary and unreasonable for a Consequential direction directing the respondents to issue tender schedules to the Petitioners herein without insisting for producing of Commercial tax Clearance Certificates and also experience Certificate.

Counsel for the Petitioners: MR.J.RAMACHANDRA RAO (Not present)
Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

The Court made the following:

ORDER:

This writ petition is filed seeking Mandamus declaring the action of the respondents, in not issuing the tender schedules of the contract works to the petitioners, as illegal and arbitrary.

2. When the matter is taken up today, none appears for the petitioners. Learned Government Pleader appearing for the respondents submits that the relief sought by the petitioner in this writ petition is for issuing tender schedules and by lapse of time, the prayer in the writ petition has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J

March 29, 2005

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to. –

1 The Superintending Engineer, N.H.Roads, C.E.Building,
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9 The Superintending Engineer, R & B Circle,

Karimnagar, Karimnagar Dist.

Two C.C. s to the G.P. for Irrigation & Comm. Area Development, High

Court of Andhra Pradesh, Hyderabad

Two C.D. Copies.